

Case Number:	CM14-0019065		
Date Assigned:	04/23/2014	Date of Injury:	07/17/2012
Decision Date:	07/03/2014	UR Denial Date:	02/07/2014
Priority:	Standard	Application Received:	02/14/2014

HOW THE IMR FINAL DETERMINATION WAS MADE

MAXIMUS Federal Services sent the complete case file to an expert reviewer. He/she has no affiliation with the employer, employee, providers or the claims administrator. The expert reviewer is Board Certified in Occupational Medicine and is licensed to practice in California. He/she has been in active clinical practice for more than five years and is currently working at least 24 hours a week in active practice. The expert reviewer was selected based on his/her clinical experience, education, background, and expertise in the same or similar specialties that evaluate and/or treat the medical condition and disputed items/services. He/she is familiar with governing laws and regulations, including the strength of evidence hierarchy that applies to Independent Medical Review determinations.

CLINICAL CASE SUMMARY

The expert reviewer developed the following clinical case summary based on a review of the case file, including all medical records:

This is a 55-year-old male with a 7/17/12 date of injury. He injured his left knee when he was kicked by an inmate. On 11/12/13, a progress report indicated that the patient is motivated and desires to lose weight in order to proceed with a left knee surgery. He has attended a Weight Watchers orientation program and desires to proceed forward with a different type of weight loss program. Objective: current weight is 318.2 pounds, height is 76 inches, and BMI is 38.7. An Orthopedic AME dated 5/17/13 recommended a medically-supervised weight loss program so that the patient can lose weight in order to proceed with the left total knee arthroplasty. Diagnostic Impression: Left Knee Contusion, Left Knee Internal Derangement. Treatment to date: activity modification, medication management. A UR decision dated 2/7/14 denied the request based on the fact that there is no documentation that the patient has failed previous weight loss attempts including diet and exercise.

IMR ISSUES, DECISIONS AND RATIONALES

The Final Determination was based on decisions for the disputed items/services set forth below:

MEDICALLY SUPERVISED WEIGHT LOSS PROGRAM: Upheld

Claims Administrator guideline: The Claims Administrator did not cite any medical evidence for its decision.

MAXIMUS guideline: The Expert Reviewer did not base their decision on the MTUS. Decision based on Non-MTUS Citation Other Medical Treatment Guideline or Medical

Evidence: Annals of Internal Medicine, Volume 142, pages 1-42, January 2005 Evaluation of the Major Commercial Weight Loss Programs. by Tsai, AG and Wadden, TA; Aetna Clinical Policy Bulletin: Weight.

Decision rationale: CA MTUS and ODG do not address this issue. Physician supervised weight loss programs are reasonable in patients who have a documented history of failure to maintain their weight at 20 % or less above ideal or at or below a BMI of 27 when the following criteria are met: BMI greater than or equal to 30 kg/m; or a BMI greater than or equal to 27 and less than 30 kg/m and one or more of the following comorbid conditions: coronary artery disease, diabetes mellitus type 2, hypertension (systolic blood pressure greater than or equal to 140 mm Hg or diastolic blood pressure greater than or equal to 90 mm Hg on more than one occasion), obesity-hypoventilation syndrome (Pickwickian syndrome), obstructive sleep apnea, or dyslipidemia (HDL cholesterol less than 35 mg/dL ; or LDL cholesterol greater than or equal to 160 mg/dL; or serum triglyceride levels greater than or equal to 400 mg/dL. However, weight loss is medically necessary because morbid obesity is a recognized Public Health and CDC identified health risk. However, there is no clear discussion of failure of prior diet and exercise programs in this patient. It is unclear what the patient has tried in the past in order to lose weight. It is noted that he attended the orientation for Weight Watchers, but did not follow through with the program, but is unclear why he did not. This request, as submitted, is not medically necessary.